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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Jacques DEGELAEN et al.

Serial No. 09/276,923

Filed March 26, 1999

Group Art Unit 1643

: Attorney Docket No.  
292/167237

PROCESS FOR DETERMINING ANTIBIOTICS  
CONTAINING A  $\beta$ -LACTAM RING IN A  
BIOLOGICAL FLUID

RESPONSE

Assistant Commissioner for Patents,  
Washington, D.C.

Sir:

This is responsive to the Notice to File Missing Parts dated  
April 20, 1999.

The Notice to File Missing Parts requires the filing of an  
executed Declaration.

However, an executed Declaration has been previously filed on  
April 21, 1999. Copies of the cover letter and postcard receipt  
are enclosed herewith. It is noted that the PTO fee for filing the  
executed Declaration was also concurrently submitted on April 21,  
1999.

Respectfully submitted,

Jacques DEGELAEN et al.

By: Warren M. Cheek, Jr.  
Warren M. Cheek, Jr.  
Registration No. 33,367  
Attorney for Applicants

WMC/dlk  
Washington, D.C.  
Telephone No. (202) 721-8200  
June 21, 1999

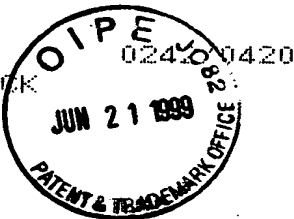


**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/276,923	03/26/99	DEGELAEN	J 292/167237

WENDEROTH LIND & PONACK  
2033 K STREET N W  
SUITE 800  
WASHINGTON DC 20006



NOT ASSIGNED

1643

DATE MAILED:

04/20/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

**If all required items on this form are filed within the period set above, the total amount owed by applicant as a**

☐ small entity (statement filed) ☐ non-small entity is \$ 130.

☐ 1. The statutory basic filing fee is:

- ☐ missing.  
☐ insufficient.

Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$ \_\_\_\_\_ for \_\_\_\_\_ total claims over 20.

\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.

\$ \_\_\_\_\_ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unsigned.  
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER: \_\_\_\_\_

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

*KDuncan*

Customer Service Center

Initial Patent Examination Division (703) 308-1202



RECEIVED  
TECH CENTER 1500/2900  
99 JUN 29 AM 9:54

ATTY DOCKET#: 292/167237 DUE DATE: --  
[99-0318\*/WMC/292]

APPLICANT: Jacques DEGELAEN et al.

SERIAL NO.: 09/276,923 FILING DATE: March 26, 1999

TITLE: PROCESS FOR DETERMINING ANTIBIOTICS CONTAINING A  
 $\beta$ -LACTAM RING IN A BIOLOGICAL FLUID

RECEIPT OF THE FOLLOWING PAPERS IS ACKNOWLEDGED:

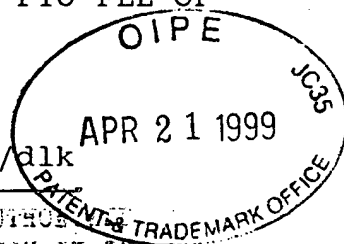
PTO FEE SHEET, COVER LETTER (TO INCLUDE PTO FEE OF  
\$130.00), EXECUTED DECLARATION.

DATE: April 21, 1999

ATTY: WMC/dlk

[Check No. 33028]

THE COMMISSIONER IS AUTHORIZED  
TO CHARGE ANY DEFICIENCY IN THE  
FEES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Jacques DEGELAEN et al.

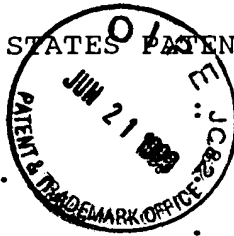
Serial No. 09/276,923

Filed March 26, 1999

PROCESS FOR DETERMINING ANTIBIOTICS  
CONTAINING A  $\beta$ -LACTAM RING IN A  
BIOLOGICAL FLUID

ATTN: BOX MISSING PART

: Attorney Docket No.  
292/167237



THE COMMISSIONER IS AUTHORIZED  
TO ACCEPT FOR DEPOSIT IN THE  
FEDERAL DEPOSITARY OF PATENT  
COPIES FOR THIS PAPER TO DEPOSIT  
ACCOUNT NO. 23-0975.

SUBMISSION OF EXECUTED DECLARATION

Assistant Commissioner for Patents,  
Washington, D.C. 20231

Sir:

Enclosed herewith is an executed Declaration for the  
above-identified application which was originally filed without an  
executed Declaration.

The Declaration identifies the application by the Title, name  
of the inventors, and filing date of the application.

Accordingly, it is submitted that the present application now  
complies with the requirements of 37 CFR 1.53(d).

Enclosed herewith is the \$130.00 surcharge required by 37 CFR  
1.16(e). Also enclosed is the required copy of the Notice to file  
Missing Parts of Application.

Early issuance of a filing receipt is therefore requested.

Respectfully submitted,

Jacques DEGELAEN et al.

By: Warren M. Cheek, Jr.  
Warren M. Cheek, Jr.  
Registration No. 33,367  
Attorney for Applicants

WMC/dlk  
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April 21, 1999